

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

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IN RE: BLUE CROSS BLUE SHIELD  
ANTITRUST LITIGATION  
(MDL No. 2406)

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**Master File No. 2:13-CV-20000-RDP**

This document relates to all cases.

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**DEFENDANTS' MOTION TO DISMISS PROVIDERS'  
CONSOLIDATED FOURTH AMENDED COMPLAINT**

For the reasons set forth in the accompanying brief, Defendants hereby move this Court pursuant to Federal Rule of Civil Procedure 12(b)(6) to dismiss Counts IV through X (and Count I to the extent that it relies on any Rule of Reason or Section 2 claim)<sup>1</sup> of the Consolidated Fourth Amended Provider Complaint (ECF No. 1083) for failure to state a claim upon which relief can be granted.

Dated: May 17, 2017

Respectfully submitted,

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<sup>1</sup> This motion relates to all of the rule of reason and Section 2 claims in the Consolidated Fourth Amended Provider Complaint.

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 17<sup>th</sup> day of May, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF filing system, which will send a copy to all counsel of record.

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